

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

FUSED SOLUTIONS, LLC	:	
	:	
Petitioner/Cross-Respondent	:	Nos. 15-1160
	:	15-1170
v.	:	
	:	
NATIONAL LABOR RELATIONS BOARD	:	Board Case No.:
	:	03-CA-098461
	:	
Respondent/Cross-Petitioner	:	

CONSENT JUDGMENT


BEFORE: Kavanaugh, Pillard, and Wilkins, Circuit Judges

THIS CAUSE came to be heard upon a petition filed by Fused Solutions, LLC, for review of an Order of the National Labor Relations Board in Board Case No. 03-CA-098461, issued on May 28, 2015, and a cross-petition by the National Labor Relations Board for enforcement of its Order. Fused Solutions, LLC and the Board having advised this Court of their desire to dispose of this matter by entry of a consent judgment enforcing the Board's Order:

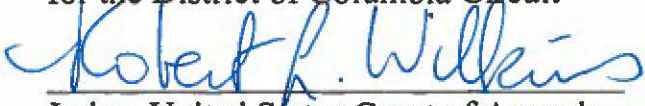
IT IS HEREBY ORDERED AND ADJUDGED by the Court that the said Order of the National Labor Relations Board is hereby enforced and that the Petitioner/Cross-Respondent, Fused Solutions, LLC, its officers, agents, successors, and assigns, shall abide by and perform the directions of the Board set forth in its Order. (See attached Order and Appendix)


Brett M. Kavanaugh

Judge, United States Court of Appeals
for the District of Columbia Circuit


Catherine E. Pillard

Judge, United States Court of Appeals
for the District of Columbia Circuit


Robert L. Wilkins

Judge, United States Court of Appeals
for the District of Columbia Circuit

FUSED SOLUTIONS, LLC

v.

NATIONAL LABOR RELATIONS BOARD**ORDER**

Fused Solutions, LLC, Potsdam, New York, its officers, agents, successors, and assigns, shall

1. Cease and desist from:
 - (a) Failing and refusing to recognize and bargain with United Food and Commercial Workers District Union Local One as the exclusive collective-bargaining representative of the employees in the bargaining unit.
 - (b) Failing and refusing to furnish the Union with requested information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of the Respondent's unit employees.
 - (c) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative action necessary to effectuate the policies of the Act:
 - (a) On request, bargain with the Union as the exclusive collective-bargaining representative of the employees in the following appropriate unit concerning terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement:

All full-time and regular part-time Level 1, Level 2, and Level 3 customer service support technicians employed by Respondent at its Potsdam, New York location; excluding all office clerical employees, confidential employees, guards, and professional employees and supervisors as defined in the Act.

- (b) Furnish to the Union in a timely manner the information requested by the Union on January 15 and 30, 2013.
- (c) Within 14 days after service by the Region, post at its facility in Potsdam, New York, copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 3, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. In the event that, during the pendency of these proceedings, the Respondent has gone out of business or closed its facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since February 15, 2013.
- (d) Within 21 days after service by the Region, file with the Regional Director for Region 3 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

APPENDIX**NOTICE TO EMPLOYEES**

**POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES
COURT OF APPEALS ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government**

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union
Choose representatives to bargain with us on your behalf
Act together with other employees for your benefit and protection
Choose not to engage in any of these protected activities

WE WILL NOT fail and refuse to recognize and bargain with United Food and Commercial Workers, District Union Local One as the exclusive collective-bargaining representative of our employees in the bargaining unit.

WE WILL NOT fail and refuse to furnish the Union with requested information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of our unit employees.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL, on request, bargain with the Union as the exclusive collective-bargaining representative of our employees in the following appropriate unit concerning terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement:

All full-time and regular part-time Level 1, Level 2, and Level 3 customer service support technicians employed by us at our Potsdam, New York location; excluding all office clerical employees, confidential employees, guards, and professional employees and supervisors as defined in the Act.

WE WILL furnish to the Union in a timely manner the information requested by it on January 15 and 30, 2013.

FUSED SOLUTIONS, LLC